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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/722,466

11/28/2003

Jac Kyum Kim

0465-1103P

7972

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EXAMINER

RIGGLEMAN, JASON PAUL

ART UNIT

PAPER NUMBER

1746

NOTIFICATION DATE

DELIVERY MODE

08/16/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

**Office Action Summary**

Application No.

10/722,466

Applicant(s)

KIM ET AL.

Examiner

Jason P. Riggleman

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1746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 May 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3,5-10 and 12-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-10 and 12-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>Foreign reference</u> .                |

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/31/2007 has been entered.

**DETAILED ACTION**

***Response to Arguments***

2. Applicant's reply filed on 5/31/2007 is acknowledged. Current pending claims are 1-3, 5-10 and 12-18. Claims 1 and 8 are amended. Applicant's arguments with respect to claims 1-3, 5-10 and 12-18 have been considered but are moot in view of the new ground(s) of rejection. The 112, second paragraph, rejection of claims 1-8 is withdrawn in view of the amendments.

***Remarks***

3. In regards to claim 1, it is being assumed -- that the front panel in front of the body has top and bottom frames and top and bottom flanges -- for purposes of examination.

4. In regards to claim 5, it has been assumed for purposes of examination that the notch recesses are formed in the top and bottom flanges ONLY; therefore, the side

flanges are notchless. Claim 5 is attempting to claim only the position of the top/bottom flange notch recesses in relation to the horizontal plane of the washing machine.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "outline part of the front panel" is not understood from the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

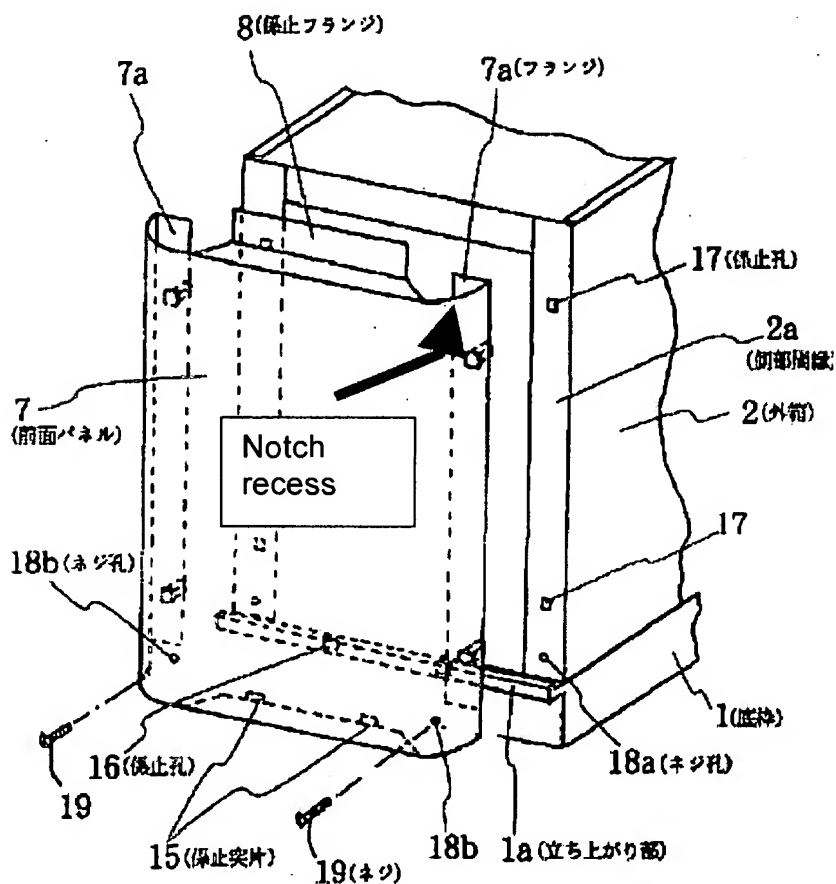
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-3, 5, 7-10, 12, and 14-18 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Tetsuo et al. (JP 8-299684).

8. Tetsuo et al. teaches a washing machine consisting of a cabinet having front, back, rear, bottom, and side panels/plates with the front panel containing a plurality of notch recesses. The body has an open front side. A tub is provided inside the cabinet, and a drum rotatably installed inside the tub, Fig. 8. The notch recesses are formed at

both ends of the top and bottom flanges and in the vicinity of both ends of the top and bottom frames, Fig. 1 (see notation below).

【图 1】



9. The front panel 7 consists of top and bottom flanges, respectively, which are bent from the top and bottom edges of the front panel 7 in a rear direction and, respectively and side flanges, respectively, are bent in the rear direction. The front panel also has a top frame 8 and a bottom frame 15. The notch recesses are formed at one side of portions where the front panel is assembled to the body.

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10. Fig. 1, indicates notch recesses formed at the outline part of the front panel at both ends of the top and bottom flanges on the side of the panel and in the vicinity of both ends of the top and bottom of the frames, respectively. The notch recesses are formed at both ends of the side flanges.

11. The top and bottom flanges extend toward the open front side and the notch recesses are located at each corner of the top and bottom flanges. The notch recesses open toward the open front side of the cabinet body.

12. In the alternative, Tetsuo et al. does not teach an open front portion (where the front panel is located); however, it has been held that an obvious choice in design is not patentable (*In re Kuhle*, 188 USPQ 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the Tetsuo et al. to create an open front panel horizontal washing machine to achieve the expected result for door placement.

### ***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tetsuo et al. (JP 8-299684), as applied to claims 1 and 8 above.

15. Tetsuo et al. does not teach the U-shape of the notch recesses; however, it has been held that changes in shape are obvious (*In re Dailey* 149 USPQ 47). It would

have been obvious to one of ordinary skill in the art at the time of the invention to modify Tetsuo et al. to create a front panel which has notch recesses of shapes such as a U, L or V to achieve the expected result.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Riggleman whose telephone number is 571-272-5935. The examiner can normally be reached on M-F, 8:30-5:00.

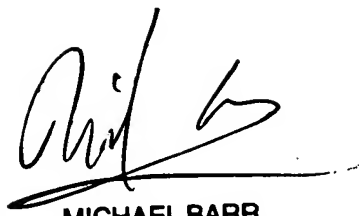
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Riggleman  
Examiner  
Art Unit 1746

Art Unit: 1746

JPR



**MICHAEL BARR**  
**SUPERVISORY PATENT EXAMINER**